

# **Exhibit 1**

1 MELINDA HAAG (CABN 132612)  
United States Attorney

2 DAVID R. CALLAWAY (CABN 121782)  
3 Chief, Criminal Division

4 J. DOUGLAS WILSON (DCBN 412811)  
LLOYD FARNHAM (CABN 202231)  
5 SARAH K. HAWKINS (CABN 257723)  
Assistant United States Attorneys

6 450 Golden Gate Avenue, Box 36055  
7 San Francisco, California 94102-3495  
Telephone: (415) 436-6973  
8 FAX: (415) 436-7027  
Lloyd.Farnham@usdoj.gov

9 Attorneys for United States of America

10  
11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 SAN FRANCISCO DIVISION

14 UNITED STATES OF AMERICA,

15 Plaintiff,

16 v.

17 IVAN SPEED,

18 Defendant.

Case No. 13-CR-753 EMC

**DECLARATION OF SARAH HAWKINS  
IN SUPPORT OF UNITED STATES'  
MOTION**

19  
20 UNITED STATES OF AMERICA,

21 Plaintiff,

22 v.

23 DAVID MADLOCK and MATTHEW  
MUMPHRY,

24 Defendants.

Case No. 14-CR-643 EMC

25 UNITED STATES OF AMERICA,

26 Plaintiff,

27 v.

28 LATONYA CAREY,

Defendant.

Case No. 15-CR-004 EMC

DECLARATION OF SARAH HAWKINS  
CASE NO. 13-CR-753 EMC

1 UNITED STATES OF AMERICA,  
2 Plaintiff,  
3 v.  
4 CRYSTAL ANTHONY,  
Defendant.

Case No. 15-CR-005 EMC

5 UNITED STATES OF AMERICA,  
6 Plaintiff,  
7 v.  
8 DARELL POWELL,  
9 Defendant.

Case No. 15-CR-006 EMC

10 UNITED STATES OF AMERICA,  
11 Plaintiff,  
12 v.  
13 DARLENE ROUSE,  
Defendant.

Case No. 15-CR-027 EMC

14 UNITED STATES OF AMERICA,  
15 Plaintiff,  
16 v.  
17 ACACIA McCNEAL,  
18 Defendant.

Case No. 15-CR-028 EMC

19 UNITED STATES OF AMERICA,  
20 Plaintiff,  
21 v.  
22 ANITA DIXON and ERWIN MACKEY,  
Defendants.

Case No. 15-CR-043 EMC

23 UNITED STATES OF AMERICA,  
24 Plaintiff,  
25 v.  
26 ERWIN MACKEY,  
27 Defendant.

Case No. 15-CR-138 EMC

1 UNITED STATES OF AMERICA,  
2 Plaintiff,  
3 v.  
4 AARON MATHEWS,  
Defendant.

Case No. 15-CR-049 EMC

5 UNITED STATES OF AMERICA,  
6 Plaintiff,  
7 v.  
8 NIJAH REED,  
9 Defendant.

Case No. 15-CR-050 EMC

10 UNITED STATES OF AMERICA,  
11 Plaintiff,  
12 v.  
13 TIANA REDDIC,  
Defendant.

Case No. 15-CR-052 EMC

14 UNITED STATES OF AMERICA,  
15 Plaintiff,  
16 v.  
17 TIFFANY CROSS,  
18 Defendant.

Case No. 15-CR-059 EMC

19 UNITED STATES OF AMERICA,  
20 Plaintiff,  
21 v.  
22 SHOLANDA ADAMS,  
23 Defendant.

Case No. 15-CR-070 EMC

1 I, Sarah Hawkins, declare and state as follows:

2 1. I am an Assistant United States Attorney currently assigned to the General Crimes  
3 Section of the United States Attorney's Office for the Northern District of California. I do not have the  
4 authority to commence a federal prosecution. Instead, I make recommendations to my supervisors in the  
5 Section or in the Criminal Division regarding federal prosecutions. Once prosecutions are approved, I  
6 present the cases to the federal grand jury and litigate those cases in district court.

7 2. I recommended federal prosecution of the following defendants Operation Safe Schools  
8 Defendants currently before this Court.

9 a. David Madlock and Mathew Mumphrey, CR 14-0643 EMC

10 b. Latonya Carey, CR 15-0004 EMC

11 c. Crystal Anthony, CR 15-0005 EMC

12 d. Darlene Rouse, CR 15-0027 EMC

13 e. Anita Dixon and Erwin Mackey, CR 15-0043 EMC

14 f. Aaron Mathews, CR 15-0049 EMC

15 g. Tiffany Cross, CR 15-0059 EMC

16 h. Sholanda Adams, CR 15-0070 EMC

17 3. In addition to the defendants currently before this Court, I recommended federal  
18 prosecution of the following defendants as part of Operation Safe Schools.

19 a. Irisha Smith, CR 14-0641 WHA

20 b. Holbert Lee, CR 15-0056 EMC

21 4. For each case listed above, I recommended federal prosecution because in my review of  
22 the evidence each individual's conduct constituted a violation of Sections 841(a)(1) and 860 of Title 21  
23 of the United States Code, and the admissible evidence was probably sufficient to obtain and sustain a  
24 conviction.

25 5. For each case listed in paragraphs 2 and 3 above, I was provided an account of the  
26 individual's conduct memorialized in a Drug Enforcement Administration Form 6, surveillance video of  
27 drug buys taken by the San Francisco Police Department, and the criminal history of the defendant. I  
28 reviewed this evidence for each defendant and recommended prosecution based on my assessment of the

1 conduct contained therein. I did not consider the defendant's race in my review of the evidence or in my  
2 determination to prosecute any individual.

3         6.       The government is lodging the surveillance video for each of the above-referenced cases  
4 as an attachment to this motion. I affirm that the videos provided are true and accurate copies of the  
5 videos that I received from DEA and reviewed prior to recommending federal prosecution of the above-  
6 listed defendants.

7         7.       After reviewing the evidence, I submitted each proposed indictment to a supervisor for  
8 review.

9         8.       I submitted proposed indictments for review in the following cases to Assistant United  
10 States Attorney Daniel Kaleba, who is the Deputy Chief of the General Crimes Section:

- 11             a.       Crystal Anthony, CR 15-0005 EMC
- 12             b.       Darlene Rouse, CR 15-0027 EMC
- 13             c.       Anita Dixon and Erwin Mackey, CR 15-0043 EMC
- 14             d.       Aaron Mathews, CR 15-0049 EMC
- 15             e.       Tiffany Cross, CR 15-0059 EMC
- 16             f.       Sholanda Adams, CR 15-0070 EMC

17 AUSA Kaleba approved these indictments.

18         9.       I submitted proposed indictments for review in the following cases to Assistant United  
19 States Attorney Kevin Barry, who is the Chief of the General Crimes Section:

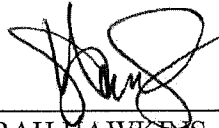
- 20             a.       David Madlock and Mathew Mumphrey, CR 14-0643 EMC
- 21             b.       Latonya Carey, CR 15-0004 EMC

22 AUSA Barry approved these indictments.

23         10.      I did not participate in the charging decisions involving the Operation Safe Schools cases  
24 that were submitted to Assistant United States Attorney Lloyd Farnham. AUSA Farnham did not  
25 participate in the charging decisions in any Operation Safe Schools cases listed in paragraphs 2 and 3  
26 that were submitted to me for review.

27         I declare under penalty of perjury that the foregoing is true and correct.

28         Executed on July \_\_\_, 2015, in San Francisco, California.



SARAH HAWKINS  
Assistant United States Attorney

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MELINDA HAAG (CABN 132612)  
United States Attorney

DAVID R. CALLAWAY (CABN 121782)  
Chief, Criminal Division

J. DOUGLAS WILSON (DCBN 412811)  
LLOYD FARNHAM (CABN 202231)  
SARAH K. HAWKINS (CABN 257723)  
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Attorneys for United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
IVAN SPEED,  
  
Defendant.

Case No. 13-CR-753 EMC

**DECLARATION OF LLOYD FARNHAM  
IN SUPPORT OF UNITED STATES'  
MOTION**

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
DAVID MADLOCK and MATTHEW  
MUMPHRY,  
  
Defendants.

Case No. 14-CR-643 EMC

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
LATONYA CAREY,  
  
Defendant.

Case No. 15-CR-004 EMC

1 UNITED STATES OF AMERICA,  
2 Plaintiff,  
3 v.  
4 CRYSTAL ANTHONY,  
Defendant.

Case No. 15-CR-005 EMC

5 UNITED STATES OF AMERICA,  
6 Plaintiff,  
7 v.  
8 DARELL POWELL,  
9 Defendant.

Case No. 15-CR-006 EMC

10 UNITED STATES OF AMERICA,  
11 Plaintiff,  
12 v.  
13 DARLENE ROUSE,  
Defendant.

Case No. 15-CR-027 EMC

14 UNITED STATES OF AMERICA,  
15 Plaintiff,  
16 v.  
17 ACACIA McCNEAL,  
18 Defendant.

Case No. 15-CR-028 EMC

19 UNITED STATES OF AMERICA,  
20 Plaintiff,  
21 v.  
22 ANITA DIXON and ERWIN MACKEY,  
Defendants.

Case No. 15-CR-043 EMC

23 UNITED STATES OF AMERICA,  
24 Plaintiff,  
25 v.  
26 ERWIN MACKEY,  
27 Defendant.

Case No. 15-CR-138 EMC

1 UNITED STATES OF AMERICA,  
2 Plaintiff,  
3 v.  
4 AARON MATHEWS,  
Defendant.

Case No. 15-CR-049 EMC

5 UNITED STATES OF AMERICA,  
6 Plaintiff,  
7 v.  
8 NIJAH REED,  
9 Defendant.

Case No. 15-CR-050 EMC

10 UNITED STATES OF AMERICA,  
11 Plaintiff,  
12 v.  
13 TIANA REDDIC,  
Defendant.

Case No. 15-CR-052 EMC

14 UNITED STATES OF AMERICA,  
15 Plaintiff,  
16 v.  
17 TIFFANY CROSS,  
18 Defendant.

Case No. 15-CR-059 EMC

19 UNITED STATES OF AMERICA,  
20 Plaintiff,  
21 v.  
22 SHOLANDA ADAMS,  
23 Defendant.

Case No. 15-CR-070 EMC

1 I, Lloyd Farnham, declare and state as follows:

2 1. I am an Assistant United States Attorney currently assigned to the General Crimes  
3 Section of the United States Attorney's Office for the Northern District of California. I do not have the  
4 authority to commence a federal prosecution. Instead, I make recommendations to my supervisors in the  
5 Section or in the Criminal Division regarding federal prosecutions. Once prosecutions are approved, I  
6 present the cases to the federal grand jury and litigate those cases in district court.

7 2. I recommended federal prosecution of the following defendants Operation Safe Schools  
8 Defendants currently before this Court.

- 9 a. Darell Powell, CR 15-0006 EMC
- 10 b. Acacia McNeal, CR 15-0028 EMC
- 11 c. Nijah Reed, CR 15-0050 EMC
- 12 d. Tiana Reddic, CR 15-0052 EMC

13 3. In addition to the defendants currently before this Court, I recommended federal  
14 prosecution of the following defendants as part of Operation Safe Schools.

- 15 a. Jahnai Carter and Andre Patterson, CR 14-0642 MMC
- 16 b. Ashley Pharr, CR 15-0007 CRB
- 17 c. Lakeysha White, CR 15-0029 EMC
- 18 d. Ebony Wallace, CR 15-0061 CRB
- 19 e. Vernon Hill, aka Kali Muhammed, CR 15-0068 CRB
- 20 f. William Brown, CR 15-0069 TEH

21 4. For each case listed above, I recommended federal prosecution because in my review of  
22 the evidence each individual's conduct constituted a violation of 21 U.S.C. §§841(a)(1) and 860 and the  
23 admissible evidence was probably sufficient to obtain and sustain a conviction.

24 5. For each case listed in numbers 2 and 3 above, I was provided an account of the  
25 individual's conduct memorialized in a Drug Enforcement Administration Form 6, surveillance video of  
26 drug buys taken by the San Francisco Police Department, and the criminal history of the defendant. I  
27 reviewed this evidence for each defendant and recommended prosecution based on my assessment of the  
28 conduct contained therein. I did not consider the defendant's race in my review of the evidence or in my

1 determination to prosecute any individual.

2         6.       The government is lodging the surveillance video for each of the above-referenced cases  
3 as an attachment to this motion. I affirm that the videos provided are true and accurate copies of the  
4 videos that I received from DEA and reviewed prior to recommending federal prosecution of the above-  
5 listed defendants.

6         7.       After reviewing the evidence, I submitted each proposed indictment to a supervisor for  
7 review.

8         8.       I submitted proposed indictments for review in the following cases to Assistant United  
9 States Attorney Daniel Kaleba, who is the Deputy Chief of the General Crimes Section:

- 10           a.       Acacia McNeal, CR 15-0028 CRB
- 11           b.       Lakeysha White, CR 15-0029 EMC
- 12           c.       Nijah Reed, CR 15-0050 RS
- 13           d.       Tiana Reddic, CR 15-0052 WHA
- 14           e.       Ebony Wallace, CR 15-0061 CRB
- 15           f.       Vernon Hill, a/k/a Kali Muhammed, CR 15-0068 CRB
- 16           g.       William Brown, CR 15-0069 TEH

17 AUSA Kaleba approved these indictments.

18         9.       I submitted proposed indictments for review in the following cases to Assistant United  
19 States Attorney Kevin Barry, who is the Chief of the General Crimes Section:

- 20           a.       Jahnai Carter and Andre Patterson, CR 14-0642 MMC
- 21           b.       Darell Powell, CR 15-0006 WHA
- 22           c.       Ashley Pharr, CR 15-0007 CRB

23 AUSA Barry approved these indictments.

24         10.      I did not participate in the charging decisions involving the Operation Safe Schools cases  
25 that were submitted to Assistant United States Attorney Sarah Hawkins. AUSA Hawkins did not  
26 participate in the charging decisions in any Operation Safe Schools cases listed in paragraphs 2 and 3  
27 that were submitted to me for review.

28         //

1 I declare under penalty of perjury that the foregoing is true and correct.

2 Executed on July 16, 2015, in San Francisco, California.

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4   
5 LLOYD FARNHAM  
6 Assistant United States Attorney  
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MELINDA HAAG (CABN 132612)  
United States Attorney  
DAVID R. CALLAWAY (CABN 121782)  
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Attorneys for United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
IVAN SPEED,  
Defendant.

Case No. 13-CR-753 EMC

**DECLARATION OF KEVIN J. BARRY  
IN SUPPORT OF UNITED STATES'  
MOTION**

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
DAVID MADLOCK and MATTHEW  
MUMPHRY,  
Defendants.

Case No. 14-CR-643 EMC

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
LATONYA CAREY,  
Defendant.

Case No. 15-CR-004 EMC

DECLARATION OF KEVIN J. BARRY  
CASE NO. 13-CR-753 EMC

1 UNITED STATES OF AMERICA,  
2 Plaintiff,  
3 v.  
4 CRYSTAL ANTHONY,  
Defendant.

Case No. 15-CR-005 EMC

5 UNITED STATES OF AMERICA,  
6 Plaintiff,  
7 v.  
8 DARELL POWELL,  
9 Defendant.

Case No. 15-CR-006 EMC

10 UNITED STATES OF AMERICA,  
11 Plaintiff,  
12 v.  
13 DARLENE ROUSE,  
Defendant.

Case No. 15-CR-027 EMC

14 UNITED STATES OF AMERICA,  
15 Plaintiff,  
16 v.  
17 ACACIA McCNEAL,  
18 Defendant.

Case No. 15-CR-028 EMC

19 UNITED STATES OF AMERICA,  
20 Plaintiff,  
21 v.  
22 ANITA DIXON and ERWIN MACKEY,  
Defendants.

Case No. 15-CR-043 EMC

23 UNITED STATES OF AMERICA,  
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25 v.  
26 ERWIN MACKEY,  
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1 UNITED STATES OF AMERICA,  
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4 AARON MATHEWS,  
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5 UNITED STATES OF AMERICA,  
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10 UNITED STATES OF AMERICA,  
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13 TIANA REDDIC,  
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14 UNITED STATES OF AMERICA,  
15 Plaintiff,  
16 v.  
17 TIFFANY CROSS,  
18 Defendant.

Case No. 15-CR-059 EMC

19 UNITED STATES OF AMERICA,  
20 Plaintiff,  
21 v.  
22 SHOLANDA ADAMS,  
23 Defendant.

Case No. 15-CR-070 EMC

1 I, Kevin J. Barry, declare and state as follows:

2 1. I am an Assistant United States Attorney and Chief of the General Crimes Section of the  
3 United States Attorney's Office for the Northern District of California. I have been delegated the  
4 authority by the United States Attorney to commence federal prosecutions and to recommend  
5 prosecutions to the federal grand jury.

6 2. I authorized the indictment submitted to the grand jury against the following Operation  
7 Safe School defendants who are members of this related action:

- 8 a. David Madlock and Mathew Mumphrey, CR 14-0643 RS  
9 b. Latonya Carey, CR 15-0004 MMC  
10 c. Darell Powell, CR 15-0006 WHA.

11 3. I also authorized the indictment submitted to the grand jury against the following  
12 Operation Safe Schools defendants who are not members of this related action:

- 13 a. Jahnai Carter and Andre Patterson, CR 14-0642 MMC  
14 b. Ashley Pharr, CR 15-0007 CRB.

15 4. I authorized prosecution of these individuals because, in my review of the evidence, each  
16 person's conduct constituted a federal offense under Sections 841(a)(1) and 860 of Title 21 of the United  
17 States Code, and the admissible evidence in each case will probably be sufficient to obtain and sustain a  
18 conviction.

19 5. In my review of the evidence of each person's conduct identified above, I did not  
20 consider the individual's race. I was unaware of any individual's race at the time I authorized  
21 prosecution to the grand jury, and I remained unaware of their race at the time the grand jury returned its  
22 indictments.

23 6. In the course of discussing with investigators the types of offenders Operation Safe  
24 Schools was targeting (see below), and prior to authorizing the indictments, I recall watching two sets of  
25 videos of narcotics transactions. I do not have an independent recollection of who was featured in these  
26 videos, but I have been informed that one of them involved William Brown, the defendant in CR 15-  
27 0069 TEH. I did not authorize the indictment of that defendant. For the other transactions, the person  
28

1 depicted may later have become a defendant in Operation Safe Schools, but I do not know if that is the  
2 case. I do not recall the race of the person conducting those narcotics transactions.

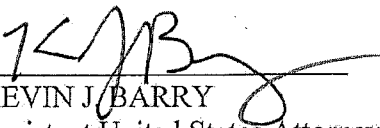
3 7. Operation Safe Schools targeted persistent, recidivist, and repeat offenders selling drugs  
4 near schools in the Tenderloin neighborhood of San Francisco. I advised personnel from the San  
5 Francisco Police Department and the Drug Enforcement Agency of this priority before and during the  
6 undercover operations. I also considered the criminal history of the charged defendants prior to  
7 authorizing the indictments submitted to the grand jury. I believe that several of the charged individuals  
8 in Operation Safe Schools whom I authorized for prosecution are considered Career Offenders under the  
9 United States Sentencing Guidelines, as follows:

- 10 a. Andre Patterson, CR 14-0642 MMC  
11 b. Darell Powell, CR 15-0006 WHA  
12 c. David Madlock, CR 14-0643 RS.

13 Two other charged individuals whom I authorized for prosecution are likely classified in Criminal  
14 History Category III.

15 I declare under penalty of perjury that the foregoing factual assertions are true and correct to the  
16 best of my knowledge and belief.

17 Executed on July 16, 2015, in San Francisco, California.

18  
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21 KEVIN J. BARRY  
22 Assistant United States Attorney  
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27  
28

MELINDA HAAG (CABN 132612)  
United States Attorney

DAVID R. CALLAWAY (CABN 121782)  
Chief, Criminal Division

J. DOUGLAS WILSON (DCBN 412811)  
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Attorneys for United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
IVAN SPEED,  
  
Defendant.

Case No. 13-CR-753 EMC

**DECLARATION OF DANIEL KALEBA  
IN SUPPORT OF UNITED STATES'  
MOTION**

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
DAVID MADLOCK and MATTHEW  
MUMPHRY,  
  
Defendants.

Case No. 14-CR-643 EMC

UNITED STATES OF AMERICA,  
  
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12 v.  
13 DARLENE ROUSE,  
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17 ACACIA McCNEAL,  
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17 TIFFANY CROSS,  
18 Defendant.

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20 Plaintiff,  
21 v.  
22 SHOLANDA ADAMS,  
23 Defendant.

Case No. 15-CR-070 EMC

1 I, Daniel Kaleba, declare and state as follows:

2 1. I am an Assistant United States Attorney and Deputy Chief of the General Crimes  
3 Section of the United States Attorney's Office for the Northern District of California. I have been  
4 delegated the authority by the United States Attorney to commence federal prosecutions, and to  
5 recommend prosecutions to the federal grand jury.

6 2. I authorized the indictment submitted to the grand jury against the following Operation  
7 Safe Schools defendants who are members of this related action:

- 8 a. Crystal Anthony, CR 15-0005 EMC
- 9 b. Darlene Rouse, CR 15-0027 EMC
- 10 c. Acacia McNeal, CR 15-0028 EMC
- 11 d. Anita Dixon and Erwin Mackey, CR 15-0043 EMC
- 12 e. Aaron Mathews, CR 15-0049 EMC
- 13 f. Nijah Reed, CR 15-0050 EMC
- 14 g. Tiana Reddic, CR 15-0052 EMC
- 15 h. Tiffany Cross, CR 15-0059 EMC
- 16 i. Sholanda Adams, CR 15-0070 EMC

17 3. I also authorized the indictment submitted to the grand jury against the following  
18 Operation Safe Schools defendants who are not members of this related action:

- 19 a. Irisha Smith, CR 14-0641 WHA
- 20 b. Lakeysha White, CR 15-0029 EMC
- 21 c. Hobert Lee, CR 15-0056 EMC
- 22 d. Ebony Wallace, CR 15-0061 CRB
- 23 e. William Brown, CR 15-0069 TEH
- 24 f. Vernon Hill, A/K/A Kali Muhammad, CR 15-0068 CRB

25 4. I authorized prosecution of these individuals because, in my review of the evidence, each  
26 person's conduct constituted a federal offense under Sections 841(a)(1) and 860 of Title 21 of the United  
27 States Code, and the admissible evidence in each case will probably be sufficient to obtain and sustain a  
28 conviction.

6. Operation Safe Schools targeted persistent, recidivist, and repeat offenders selling drugs near schools in the Tenderloin neighborhood of San Francisco. I advised personnel from the San Francisco Police Department and the Drug Enforcement Agency of this priority before and during the undercover operations. I also considered the criminal history of the charged defendants prior to authorizing the indictment submitted to the grand jury. I believe that a majority of the charged defendants whom I recommended for prosecution are considered Career Offenders under the United States Sentencing Guidelines, as follows:

- a. Crystal Anthony, CR 15-0005 EMC
- b. Acacia McNeal, CR 15-0028 EMC
- c. Anita Dixon, CR 15-0043 EMC
- d. Erwin Mackey, CR 15-0043 EMC
- e. Aaron Mathews, CR 15-0049 EMC
- f. Nijah Reed, CR 15-0050 EMC
- g. Tiana Reddic, CR 15-0052 EMC
- h. Tiffany Cross, CR 15-0059 EMC
- i. Ebony Wallace, CR 15-0061 CRB

I declare under penalty of perjury that the foregoing factual assertions are true and correct to the best of my knowledge and belief.

Executed on July 16, 2015, in San Francisco, California.

  
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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
IVAN SPEED,  
  
Defendant.

Case No. 13-CR-753 EMC

**DECLARATION OF S. WAQAR HASIB  
IN SUPPORT OF UNITED STATES'  
MOTION**

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
DAVID MADLOCK and MATTHEW  
MUMPHRY,  
  
Defendants.

Case No. 14-CR-643 EMC

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
LATONYA CAREY,  
  
Defendant.

Case No. 15-CR-004 EMC

1 UNITED STATES OF AMERICA,  
2 Plaintiff,  
3 v.  
4 CRYSTAL ANTHONY,  
Defendant.

Case No. 15-CR-005 EMC

5 UNITED STATES OF AMERICA,  
6 Plaintiff,  
7 v.  
8 DARELL POWELL,  
9 Defendant.

Case No. 15-CR-006 EMC

10 UNITED STATES OF AMERICA,  
11 Plaintiff,  
12 v.  
13 DARLENE ROUSE,  
14 Defendant.

Case No. 15-CR-027 EMC

15 UNITED STATES OF AMERICA,  
16 Plaintiff,  
17 v.  
18 ACACIA McCNEAL,  
19 Defendant.

Case No. 15-CR-028 EMC

20 UNITED STATES OF AMERICA,  
21 Plaintiff,  
22 v.  
23 ANITA DIXON and ERWIN MACKEY,  
24 Defendants.

Case No. 15-CR-043 EMC

25 UNITED STATES OF AMERICA,  
26 Plaintiff,  
27 v.  
28 ERWIN MACKEY,  
Defendant.

Case No. 15-CR-138 EMC

1 UNITED STATES OF AMERICA,  
2 Plaintiff,  
3 v.  
4 AARON MATHEWS,  
Defendant.

Case No. 15-CR-049 EMC

5 UNITED STATES OF AMERICA,  
6 Plaintiff,  
7 v.  
8 NIJAH REED,  
9 Defendant.

Case No. 15-CR-050 EMC

10 UNITED STATES OF AMERICA,  
11 Plaintiff,  
12 v.  
13 TIANA REDDIC,  
Defendant.

Case No. 15-CR-052 EMC

14 UNITED STATES OF AMERICA,  
15 Plaintiff,  
16 v.  
17 TIFFANY CROSS,  
18 Defendant.

Case No. 15-CR-059 EMC

19 UNITED STATES OF AMERICA,  
20 Plaintiff,  
21 v.  
22 SHOLANDA ADAMS,  
23 Defendant.

Case No. 15-CR-070 EMC

1 I, S. Waqar Hasib, declare and state as follows:

2 1. I am an Assistant United States Attorney and have so been since 2004, first in the District  
3 of Massachusetts, and then in the Northern District of California, where I am currently assigned to the  
4 Special Prosecutions and National Security Unit. From approximately April of 2012 until January of  
5 2015, I was the Deputy Chief of the Narcotics/Organized Crime Drug Enforcement Task Force  
6 (OCDETF) Unit of the United States Attorney's Office for the Northern District of California. My  
7 direct supervisor at that time was Assistant United States Attorney Barbara Silano, who was the Chief of  
8 the Narcotics/OCDETF Unit. On several occasions, when AUSA Silano<sup>1</sup> was unable to perform her  
9 duties due to medical and other reasons, she appointed me as her Acting Chief. In my capacity as both  
10 Deputy Chief and Acting Chief, I was delegated the authority by the United States Attorney, and, in  
11 turn, by AUSA Silano, to commence federal prosecutions and to recommend prosecutions to the federal  
12 grand jury.

13 2. I have lived in the city of San Francisco periodically since approximately 1987. I went to  
14 law school at the University of California, Hastings College of Law in the Tenderloin District of San  
15 Francisco from 2001 to 2004. In 2003 and 2004, I lived in the Tenderloin. Since joining the United  
16 States Attorney's Office for the Northern District of California in 2007, I have worked in the Tenderloin.  
17 Based on these cumulative experiences, I know the Tenderloin to be a small, compact neighborhood  
18 where a disproportionately high percentage of low-income families reside. I also know the Tenderloin  
19 to be a neighborhood with a disproportionately high crime rate, particularly drug crimes.

20 3. Operation Safe Schools was my idea. The purpose of the operation was to aggressively  
21 prosecute drug dealers around schools and playgrounds in the Tenderloin district, in an effort to create a  
22 sustainable, long-term improvement in the lives of the many underprivileged children and families  
23 residing in and going to school in the neighborhood. I proposed the operation after learning, among  
24 other things, that: 27.4% of Tenderloin residents in 2011 lived below the poverty line, compared with  
25 11.3% for the rest of the city; the median income in 2011 for the Tenderloin was \$25,471, compared to  
26 \$70,770 citywide; 21.8% of Tenderloin residents in 2011 spoke little or no English, compared with

27  
28 <sup>1</sup> AUSA Silano has since passed away.

13.1% citywide; and population density in the Tenderloin in 2011 was over 4 times the citywide average. In addition, while precise numbers were difficult to confirm in 2011, estimates suggested there were over 3,500 children residing in the Tenderloin. Against this demographic backdrop, I also learned from neighborhood crime statistics that there had been over 350 drug crimes committed in the Tenderloin in just the first four months of 2011, a crime rate that was roughly consistent with previous years.

4. In my capacity as Deputy Chief and Acting Chief of the Narcotics/OCDETF Unit, I authorized indictments submitted by AUSAs in my unit charging numerous defendants under the rubric of Operation Safe Schools. I authorized prosecution of these individuals because it appeared to me that each person's conduct constituted a federal offense under Sections 841(a)(1) and 860 of Title 21 of the United States Code, and that the admissible evidence in each case was sufficient to obtain and sustain a conviction. In authorizing these indictments, at no time did I consider the individual's race as a factor in prosecution. Indeed, in the large majority of these cases, I was entirely unaware of any particular individual's race when I authorized presentation to the grand jury.

5. In addition to authorizing indictments in my capacity as Deputy Chief and Acting Chief, I also personally handled cases against numerous defendants under the rubric of Operation Safe Schools. One of those defendants, Ivan Speed, is the subject of the instant litigation. In considering whether to prosecute Speed, I recall reviewing a video showing defendant Speed selling cocaine base to a cooperating witness within 1,000 feet of a school. I recall basing my decision to prosecute defendant Speed on the quality of that video.<sup>2</sup> At no time did I consider defendant Speed's race as a factor in whether to prosecute.

6. Operation Safe Schools was first implemented under my supervision both in the Tenderloin, and in other neighborhoods around the Bay Area experiencing similar problems. As part of this implementation, I discussed with law enforcement personnel from the Drug Enforcement Administration, the Federal Bureau of Investigation, the Bureau of Alcohol, Tobacco, Firearms and Explosives, the Oakland Police Department, and the San Francisco Police Department that they were to

<sup>2</sup> Speed was also charged at that time by another AUSA in a separate case for being a felon in possession of a firearm. *See United States v. Speed*, 14-CR-119-EMC

1 target recidivist, repeat offenders who were selling drugs near schools. In particular, I discussed with  
2 them that one of the most important factors in my decision to prosecute and to authorize prosecution was  
3 the criminal history of the targeted defendants. At no time did I advise law enforcement personnel to  
4 take race into consideration when targeting defendants. I know that several of the defendants in  
5 Operation Safe Schools whom I either prosecuted myself or authorized for prosecution potentially  
6 qualified for Career Offender status under the United States Sentencing Guidelines. This includes  
7 defendant Speed.

8 I declare under penalty of perjury that the foregoing factual assertions are true and correct to the  
9 best of my knowledge and belief.

10 Executed on July 16, 2015, in San Francisco, California.

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14 S. WAQAR HASIB  
Assistant United States Attorney  
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